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# SENATE BILL No. 126

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-47.

**Synopsis:** Firearm sales, transfers, and storage. Makes it a Class A misdemeanor for a person to purchase or otherwise obtain more than one handgun during a calendar month. Makes it a Class A misdemeanor for a person to sell or otherwise transfer ownership of a handgun to another person at a gun show unless the person is a licensed firearms dealer. Places restrictions on the transfer of firearms that have certain physical characteristics that could make the firearms dangerous to use. Makes it a Class A infraction for an adult to knowingly, intentionally, recklessly, or negligently store or leave a loaded handgun, or an unloaded handgun that is accompanied by ammunition, in a location where the adult knows or should reasonably know that an unsupervised child is likely to gain access to and handle the handgun if: (1) a child gains access to the handgun; and (2) the child violates the law concerning carrying a handgun without a license or uses the handgun to cause bodily injury to the child or to another person. Makes a repeat offense a Class A misdemeanor.

**Effective:** July 1, 2002.

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## Howard

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December 7, 2001, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## SENATE BILL No. 126

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 35-47-2.5-11.3 IS ADDED TO THE INDIANA  
2       CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3       [EFFECTIVE JULY 1, 2002]: **Sec. 11.3. (a) Notwithstanding section**  
4       **1(3) of this chapter, this section applies to Indiana residents**  
5       **licensed to carry handguns under IC 35-47-2-3.**

6       **(b) A person may not purchase or otherwise obtain more than**  
7       **one (1) handgun during a calendar month.**

8       **(c) A person who knowingly or intentionally violates this section**  
9       **commits a Class A misdemeanor.**

10       SECTION 2. IC 35-47-2.5-11.6 IS ADDED TO THE INDIANA  
11       CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
12       [EFFECTIVE JULY 1, 2002]: **Sec. 11.6. (a) Notwithstanding section**  
13       **1(3) of this chapter, this section applies to Indiana residents**  
14       **licensed to carry handguns under IC 35-47-2-3.**

15       **(b) A person may not sell or otherwise transfer ownership of a**  
16       **handgun to another person at a gun show unless the person is a**  
17       **licensed firearms dealer.**



1 (c) A person who knowingly or intentionally violates this section  
2 commits a Class A misdemeanor.

3 SECTION 3. IC 35-47-4-6 IS ADDED TO THE INDIANA CODE  
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
5 1, 2002]: Sec. 6. (a) A person may not sell, rent, lease, transfer, or  
6 deliver or offer to sell, lease, transfer, or deliver a firearm to  
7 another person if the firearm:

8 (1) has a frame, barrel, cylinder, slide, or breechblock that is  
9 composed of:

10 (A) a metal that has a melting point of less than nine  
11 hundred (900) degrees Fahrenheit;

12 (B) a metal that has an ultimate tensile strength of less  
13 than fifty-five thousand (55,000) pounds per square inch;  
14 or

15 (C) a powdered metal that has a density of less than seven  
16 and five-tenths (7.5) grams per cubic centimeter;

17 (2) is prone to:

18 (A) accidental discharge;

19 (B) firing more than one (1) time per pull of the trigger; or

20 (C) explosion during firing; or

21 (3) has a barrel less than three (3) inches in length;

22 unless the person discloses in writing to the other person the  
23 condition of the firearm.

24 (b) A person who knowingly or intentionally violates this section  
25 commits a Class C misdemeanor.

26 SECTION 4. IC 35-47-10-7.1 IS ADDED TO THE INDIANA  
27 CODE AS A NEW SECTION TO READ AS FOLLOWS  
28 [EFFECTIVE JULY 1, 2002]: Sec. 7.1. (a) This section does not  
29 apply under the following circumstances:

30 (1) When a child gains possession of a handgun that was:

31 (A) stored in a locked box or container; or

32 (B) securely locked with a trigger lock.

33 (2) When a child gains possession of a handgun as a result of  
34 the child's unlawful entry.

35 (b) If:

36 (1) an adult knowingly, intentionally, recklessly, or negligently  
37 stores or leaves:

38 (A) a loaded handgun; or

39 (B) an unloaded handgun that is accompanied by  
40 ammunition;

41 in a location where the adult knows or should reasonably  
42 know that an unsupervised child is likely to gain access to and

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1           handle the handgun;  
2           (2) a child gains access to the handgun; and  
3           (3) the child uses the handgun to:  
4               (A) violate IC 35-47-2-1; or  
5               (B) cause bodily injury to the child or to another person;  
6           the adult commits a Class A infraction. However, the offense is a  
7           Class A misdemeanor if the adult has a previous unrelated  
8           judgment or conviction under this section.

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